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Message Text

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64
ACTION IO-14

INFO OCT-01 ISO-00 AF-10 ARA-16 EA-11 EUR-25 NEA-14 RSC-01

OIC-04 AID-20 EB-11 COME-00 STR-08 SIL-01 ACDA-19

SAJ-01 SAM-01 SWF-02 AGR-20 LAB-06 SSO-00 NSCE-00

USIE-00 INRE-00 CIAE-00 DODE-00 PM-07 H-03 INR-11

L-03 NSAE-00 NSC-07 PA-04 PRS-01 SP-03 SS-20 IOE-00

DRC-01 /245 W
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O R 291830Z JUL 74
FM USMISSION GENEVA
TO SECSTATE WASHDC IMMEDIATE 7487
INFO USMISSION USUN NEW YORK

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E.O. 11652: N/A
TAGS: ECOSOC, EGEN, UN, SOV
SUBJECT: 57TH ECOSOC-ITEM 8-MULTINATIONALS-ALL STATES CLAUSE

REF: GENEVA 4884

1. AT TODAY'S CONTACT GROUP MEETING GDR AND SOVIET UNION RETURNED TO PROPOSAL THAT OPERATIVE PARA 3 OF RESOLUTION ON MULTINATIONAL CORPORATIONS (REFTEL PARA 2 (F)) USE "ALL STATES" IN PLACE OF "VIENNA FORMULA", WHEN REFERRING TO STATES WHICH WOULD BE INVITED TO SUBMIT VIEWS TO THE SYG ON THE REPORT OF EMINENT PERSONS ON MULTINATIONAL CORPORATIONS. PROPOSAL WAS STRONGLY PRESSED, SUPPORTED BY ARGUMENTS THAT RECENT AGREEMENTS IN UN CONCERNING IN-VITATIONS TO ALL STATES TO RATIFY DIPLOMATIC PROTECTION CONVENTION AND PARTICIPATION IN WORLD FOOD CONFERENCE (56TH ECOSOC) HAD SET PRECEDENT AND IMPLIED AGREEMENT
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ON GENERAL USE OF ALL STATES FORMULA IN FUTURE UN

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RESOLUTIONS. DISCUSSION IN CONTACT GROUP LEFT SOVIET PROPOSAL STILL UNAGREED. SOVIETS STATES ISSUE WOULD BE PRESSED TO A VOTE IN THE ECONOMIC COMMITTEE.

2. FOLLOWING THIS EXCHANGE IN THE CONTACT GROUP NESTERENKO APPROACHED US DEL TO SAY THAT, AS A RESULT OF THE AGREEMENTS IN THE UN REFERRED TO ABOVE TO USE THE ALL STATES FORMULA, IT HAD BEEN ASSUMED AT THE HIGHEST LEVELS OF THE KREMLIN THAT THE ISSUE OF ALL STATES FORMULA HAD BEEN SETTLED AND THAT SOVIET GOVERNMENT HAD RECEIVED INDICATIONS TO THIS EFFECT FROM US GOVERNMENT SOURCE. US OPPOSITION TO ITS USE IN MULTINATIONAL CORPORATIONS RESOLUTION WOULD BE INTERPRETED AS HARDENING OF US LINE ON THIS ISSUE WITH IMPLICATIONS FOR OTHER ASPECTS US/SOVIET RELATIONS. NESTERENKO URGED US GIVE FURTHER IMMEDIATE CONSIDERATION TO POSSIBILITY OF AGREEMENTON USE OF ALL STATES FORMULA IN RESOLUTION UNDER NEGOTIATION.

3. REQUEST ASAP DEPARTMENT'S VIEWS ON WHETHER WE SHOULD GO ALONG WITH SOVIET PROPOSAL IN THIS INSTANCE OR CONTINUE TO SUPPORT USE OF VIENNA FORMULA. A NUMBER OF DELEGATIONS HAVE COMMENTED PRIVATELY THAT THEY REGARD A REQUEST TO ALL STATES TO SUBMIT VIEWS ON A UN REPORT AS LESS SIGNIFICANT THAN INVITING ALL STATES TO RATIFY AN INTERNATIONAL CONVENTION OR PARTICIPATE IN A UN CONFERENCE.

4. ALTERNATIVE FORMULATION THAT OCCURS TO US IS "ALL INTERESTED PARTIES". THIS WOULD ENABLE STATES, MNCS, TRADE AND CONSUMERS UNIONS, ETC. TO SEND IN COMMENTS, WITHOUT CONSTITUTING A GENERAL PRECEDENT FOR ALL STATES, I.E., THE ISSUE WOULD BE AVOIDED IN THIS CASE AND USEFUL COMMUNICATIONS FROM ENITIES OTHER THAN GOVERNMENTS WOULD COME IN. HOWEVER, DISADVANTAGE IS THAT FRINGE ORGANIZATIONS ALSO MIGHT SEND IN THEIR VIEWS. WHAT DOES DEPT THINK OF THIS APPROACH?
ABRAMS

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